

1 COOLEY LLP
MICHAEL G. RHODES (116127)
2 (rhodesmg@cooley.com)
KATHLEEN HARTNETT (314267)
3 (khartnett@cooley.com)
KYLE C. WONG (224021)
4 (kwong@cooley.com)
3 Embarcadero Center 20th Floor
5 San Francisco, CA 94111-4004
Telephone: (415) 693-2000
6 Facsimile: (415) 693-2222

7 LINH K. NGUYEN (305737)
(lknguyen@cooley.com)
8 JAMIE D. ROBERTSON (326003)
(jdrobertson@cooley.com)
9 10265 Science Center Drive
San Diego, California 92121
10 Telephone: (858) 550-6000
Facsimile: (858) 550-6420
11

12 Attorneys for Defendant
TWITTER, INC.
13

14 UNITED STATES DISTRICT COURT
15 NORTHERN DISTRICT OF CALIFORNIA
16 SAN FRANCISCO DIVISION
17

18 JOHN DOE #1 AND JOHN DOE #2,
19 Plaintiffs,
20 v.
21 TWITTER, INC.,
22 Defendants.
23
24
25
26
27
28

Case No. 3:21-cv-00485-JCS

**JOINT STATUS UPDATE PURSUANT TO
COURT'S JUNE 22, 2022, ORDER (ECF
NO. 96) AND STIPULATED REQUEST TO
CONTINUE CASE MANAGEMENT
CONFERENCE**

CMC Date: December 16, 2022
CMC Time: 2:00 p.m.
Judge: Honorable Joseph C. Spero

1 Defendant Twitter, Inc. and Plaintiffs John Doe #1 and John Doe #2 (collectively, the
2 “Parties”), respectfully submit this joint status update regarding this matter.

3 On October 26, 2021, the Court entered an order certifying the Court’s August 19, 2021,
4 motion to dismiss order for interlocutory appeal and staying all proceedings in the Action. (ECF
5 No. 85.)

6 On January 21, 2022, the Ninth Circuit granted the Parties’ petition for permission to appeal
7 and cross-petition for permission to appeal pursuant to 28 U.S.C. § 1292(b). (ECF No. 92.)

8 On June 3, 2022, Twitter filed its opening Ninth Circuit brief. On August 5, 2022, Plaintiffs
9 filed their answering brief and opening brief in support of their cross-appeal. On October 7, 2022,
10 Twitter filed its reply brief in support of its appeal and answering brief. Plaintiffs’ optional cross-
11 appeal reply brief was filed on October 28, 2022. Oral argument has not yet been scheduled.

12 Given the continuing nature of the appeal, the Parties respectfully request a continuance of
13 the Case Management Conference currently scheduled for December 16, 2022.

14
15
16 Dated: December 9, 2022

COOLEY LLP

17
18 By: /s/ Linh K. Nguyen
19 Linh K. Nguyen

20 *Attorneys for Defendant Twitter, Inc.*

21 Dated: December 9, 2022

THE HABA LAW FIRM, P.A.

22
23 By: /s/ Lisa D. Haba
24 Lisa D. Haba

25 *Attorneys for Plaintiffs John Doe #1 and John*
26 *Doe #2.*

ATTESTATION

Filer's Attestation: Pursuant to Civil Local Rule 5-1(i)(3) regarding signatures, Linh Nguyen hereby attests that concurrence in the filing of this document has been obtained.

Dated: December 9, 2022

COOLEY LLP

/s/ Linh K. Nguyen

Linh K. Nguyen

Attorneys for Defendant Twitter, Inc.

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated: December 13, 2022



HON. JOSEPH C. SPERO
UNITED STATES MAGISTRATE JUDGE